

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS

No. 6:23-cv-00556

**Lisa Magruder,**  
*Plaintiff,*

v.


**Argon Medical Devices, Inc.,**  
*Defendant.*

**ORDER**

Plaintiff Lisa Magruder filed the above-styled and numbered lawsuit against defendant Argon Medical Devices, Inc., alleging employment discrimination in violation of the Americans with Disabilities Act, 42 U.S.C. § 12112, and the Texas Commission on Human Rights Act, Texas Labor Code § 21.051. Doc. 1. The case was referred to United States Magistrate Judge John D. Love. Doc. 4. Thereafter, defendant filed a motion to dismiss for failure to state a claim for relief. Doc. 6. On January 23, 2024, Judge Love issued a report and recommendation (Doc. 17) recommending that the motion be granted but also recommending that plaintiff be granted leave to amend her complaint to cure the deficiencies in the complaint. To date, no objections have been filed and the time period for doing so has passed.

When no party objects to the magistrate judge's report and recommendation, the court reviews the report only for clear error. *See Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996). Having reviewed the magistrate judge's report, and being satisfied that it contains no clear error, the court accepts its findings and recommendation. Doc. 17. For the reasons stated in the report, defendant's motion to dismiss (Doc. 6) is granted. Further, the court grants plaintiff leave to amend her complaint to cure the deficiencies identified in the report.

*So ordered by the court on May 9, 2024.*

  
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J. CAMPBELL BARKER  
United States District Judge